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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FANTASTIC ENTERTAINMENT
ENTERPRISES, LLC, a Nevada limited liability
company,

Plaintiff,

v.

PINK PERSONALITY, LLC., a Delaware
limited liability company; PINK
PERSONALITY, INC., a Delaware corporation;
DOES I through X, inclusive; ROE BUSINESS
ENTITIES I through X, inclusive;

Defendants.

Case No.: 2:15-cv-02166-JCM-GWF

**STIPULATION AND ORDER TO
EXTEND DISCOVERY PLAN AND
SCHEDULING ORDER DEADLINES**

(FIRST REQUEST)

Pursuant to LR 6-1, 6-2, 7-1, and LR 26-4, Plaintiff FANTASTIC ENTERTAINMENT ENTERPRISES, LLC, a Nevada limited liability company (“Plaintiff”), and Defendants PINK PERSONALITY, LLC, a Delaware limited liability company and PINK PERSONALITY, INC., a Delaware corporation (“Defendants” and together with Plaintiff, the “Parties,” or, individually, a “Party”), by and through their respective undersigned counsel, hereby submit this Stipulation and Order to Extend Discovery Plan and Scheduling Order Deadlines – First Request (the “Stipulation”) and request an extension of the dates noted in the Stipulated Discovery Plan and Scheduling Order, Docket No. 22 (the “Stipulated Discovery Plan”).

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Discovery Completed:

As of date, the Parties have completed the following discovery (LR 26-4(a)):

1. The Parties have conducted a Rule 26 Conference;
2. Plaintiff has served its Initial Disclosures pursuant to FRCP 26(a); and
3. Defendants have served their Initial Disclosures pursuant to FRCP 26(a).

Remaining Discovery:

The following discovery remains to be completed (LR 26-4(b)):

1. Plaintiff plans to take the deposition of both Defendants under Fed. R. Civ. P. 30(b)(6);
2. Plaintiff plans to take the deposition of Onika Maraj;
3. Defendants plan to take the deposition of Plaintiff under Fed. R. Civ. P. 30(b)(6);
4. Defendants reserve the right to depose one or more of Plaintiff's officers and employees;
5. Plaintiff plans to propound written discovery (i.e. requests for production of documents, requests for admissions, and interrogatories) on Defendants;
6. Defendants plan to propound written discovery (i.e. requests for production of documents, requests for admissions, and interrogatories) on Plaintiff;
7. Defendants may serve subpoenas for documents and/or deposition testimony on one or more third parties;
8. Plaintiff may serve subpoenas for documents and/or deposition testimony on one or more third parties; and
9. Plaintiff may retain an expert in this matter, and Defendants may retain an expert or a rebuttal expert in this matter.

Reasons Why the Discovery Remaining Was Not Completed:

Pursuant to LR 26-4(c), there is good cause for the extension of the discovery deadlines in this matter. Plaintiff recently received Defendants' first supplement to their initial disclosures in this matter. Given that the first deadline in this matter is quickly approaching (i.e. the deadline for motions to amend or add parties), Plaintiff will need to review these disclosures and analyze

1 whether such amendment is necessary. Similarly, Defendants need additional time to investigate
2 whether to amend their pleading and whether to join any additional parties. Further, this
3 extension request will not prejudice either Party hereto, given that this request is made relatively
4 early in the discovery process. With that said, the Parties have agreed to extend discovery in this
5 matter for approximately ninety (90) days to allow the Parties to further conduct written
6 discovery and depositions. Those are the reasons why the discovery remaining has not been
7 completed at this time.

8 Additionally, the Parties request that the date for the filing of dispositive motions be set
9 for December 1, 2016, which is 45 days after the close of discovery. The Parties request this
10 briefly extended time frame to accommodate the schedule of lead counsel for Defendants,
11 Jonathan D. Davis, P.C., who are scheduled to begin a trial in another matter on October 18,
12 2016, *Copeland v. Bieber, et al.*, Case No. 2:13-cv-00246, which is currently pending in the U.S.
13 District Court for the Eastern District of Virginia. That trial is expected to last approximately 10
14 days, and will substantially occupy the firm's time for several weeks following the close of
15 discovery in this matter. This brief extension of time to file dispositive motions will not
16 prejudice any Party. The Parties also request that the date for the submission of the Pretrial
17 Order be set for January 6, 2017 (in the event that it is not suspended upon the filing of a
18 dispositive motion) in order to avoid that deadline falling in the middle of the busy holiday week.

19 Defendants join in this request to extend the discovery schedule without waiver of or
20 prejudice to their motion to transfer this action to the United States District Court for the
21 Southern District of New York, which was filed on January 20, 2016 and is *sub judice*.

Proposed Schedule for Completing Discovery:

Pursuant to LR 26-4(d), the Parties to this action believe that an extension is warranted in this case and thus, the following is a proposed schedule for completing all remaining discovery:

Deadline	Current Date	Proposed Date
Discovery cut off	07/18/2016	10/17/2016
Deadline to file motions to amend pleadings or add parties	04/19/2016	07/19/2016
Initial expert disclosures	05/19/2016	08/18/2016
Rebuttal expert disclosures	06/17/2016	09/16/2016
Dispositive motions	08/17/2016	12/01/2016
Pretrial Order ¹	09/16/2016	01/06/2017
Interim Status Report	05/19/2016	08/18/2016

Dated this 13th day of April, 2016.

**HOLLEY DRIGGS WALCH FINE WRAY
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/s/ Cami M. Perkins

/s/ Jonathan D. Davis

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¹ In the event that dispositive motions are filed, the date for filing the Joint Pretrial Order shall be suspended until thirty (30) days after decision of the dispositive motion(s) or further order of the Court.

ORDER

The Court having reviewed the Stipulation, the pleadings and papers on file herein, and good cause appearing, it is HEREBY ORDERED, ADJUDGED, and DECREED that:

1. The discovery cut-off deadline is **Monday, October 17, 2016**.
2. The deadline to file motions to amend pleadings or add parties is **Tuesday, July 19, 2016**, which is ninety (90) days before the close of discovery.
3. The deadline to file initial expert disclosures is **Thursday, August 18, 2016**, which is sixty (60) days before the close of discovery.
4. The deadline to file rebuttal expert disclosures is **Friday, September 16, 2016**, which is twenty-nine (29) days after the initial expert disclosures.
5. The deadline to file dispositive motions is **Thursday, December 1, 2016**, which is forty-five (45) days after the close of discovery.
6. The deadline to file a Joint Pretrial Order is **Friday, January 6, 2017**, which is thirty-six (36) days after the deadline for filing dispositive motions. If dispositive motions are filed, the date for filing the Joint Pretrial Order shall be suspended until thirty (30) days after decision of the dispositive motion(s) or further order of the Court.
7. The deadline to file an Interim Status Report is **Thursday, August 18, 2016**, which is sixty (60) days before the close of discovery.

IT IS SO ORDERED.


 GEORGE W. FOLEY, JR.
 UNITED STATES MAGISTRATE JUDGE

DATED: April 14, 2016